

FILED

SEP 14 2018

Clerk, U S District Court
District Of Montana
Billings

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

vs.

ANTHONY ALEX ROLL,

Defendant/Movant.

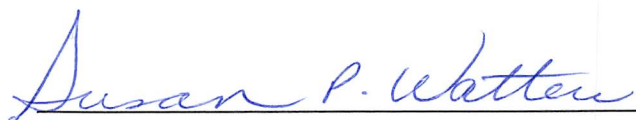
Cause No. CR 11-133-BLG-SPW

ORDER

On September 12, 2018, the Court of Appeals held motions under 28 U.S.C. § 2255 seeking relief under the rule of *Johnson v. United States*, __ U.S. __, 135 S. Ct. 2251 (2015), are untimely until the Supreme Court extends *Johnson* to other contexts. *See United States v. Blackstone*, No. 17-55023 (9th Cir. Sept. 12, 2018). The decision appears to control the outcome here, but the resentencing hearing will stay on the calendar until the parties have had an opportunity to brief the issue.

Accordingly, IT IS HEREBY ORDERED that, on or before **October 1, 2018**, the parties shall file briefs of no more than 3,250 words explaining why *Blackstone* does or does not control this Court's decision.

DATED this 13th day of September, 2018.



Susan P. Watters
United States District Court